

REISSUE APPLICATION

ROUTING SLIP

(DO NOT REMOVE FROM FILE)

Reissue Application No.: 09/993,328



To Examiner: PHAM, CHIH-LEE, A. Art Unit: 2631 2663

Via SPE: Pham, Chi

(SPE: If no examiner is indicated above, then (1) assign and docket the Reissue to an examiner, (2) forward the Reissue to the assigned examiner for action as indicated below, and (3) immediately inform the SPREs of the examiner assigned.)

First Action

O. G. Publication Date:

26-Feb-02

DUE DATE:

13-Jun-02

NOTE: No action may be taken in a Reissue Application prior to the expiration of **TWO MONTHS** from the O. G. Publication Date.

EXAMINERS:

Submit all completed actions for counting and further processing with the Technical Support Staff.

TECHNICAL SUPPORT STAFF:

After counting an allowance or abandonment – promptly forward application to the SPRE Unit (PK2-8A36) for final review and Reissue flag removal.

Questions regarding Reissue Practice should be directed to:

0711501



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Date: May 07, 2002

To: AU 2612

From: SPRE Unit, 2600, Ken Wieder (Seema Rao on detail)

Re.: Review of a Reissue 09/993,328

1. Original patent file has been ordered and placed with the Reissue file.
2. Litigation search is done and included in the file. No litigation record.
3. The original patent is in the file.
4. Newly added claims 5-106, broadening as disclosed by the Applicants. Review for any recapture of the subject matter.

Refer to 35 USC 251 third and fourth paragraph. Refer to Reissue Guide, items 12 and 13. MPEP 1412.03

5. Review for any restriction possibility. Refer to Reissue Guide, item 19. 37 CFR 1.176.
6. Oath and Declaration is defective. Oath and Declaration must identify at least one error being relied upon as a basis for the reissue and indeed an appropriate error for reissue. "Broadening reissue in view of new claims 5-106" is not a specific error for reissue application. Notify applicants to submit supplemental declaration with specific error.

Therefore, the Oath & Declaration is considered as defective, does not have any error to correct. A rejection based on "No statement of a specific error" Use 14.01.01 paragraph. Refer to Reissue Guide, item 18(I)